

# COMMITTEE REPORT

---

## MADAM PRESIDENT:

The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred Senate Bill No. 414, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1       Page 1, between the enacting clause and line 1, begin a new  
2       paragraph and insert:  
3       "SECTION 1. IC 4-32.2-3-4, AS AMENDED BY P.L.227-2007,  
4       SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5       JULY 1, 2009]: Sec. 4. (a) The commission has the sole authority to  
6       license entities under this article to sell, distribute, or manufacture a  
7       licensed supply.  
8       ~~(b) Qualified organizations must obtain licensed supplies only from~~  
9       ~~an entity licensed by the commission.~~  
10       ~~(c)~~ (b) The commission may not limit the number of qualified  
11       entities licensed under subsection (a).  
12       ~~(d)~~ (c) The commission may deny a license to an applicant for a  
13       license to sell, manufacture, or distribute licensed supplies if the  
14       commission determines that at least one (1) of the following applies  
15       with respect to the applicant:  
16       (1) The applicant has:  
17       (A) violated a local ordinance, a state or federal statute, or an  
18       administrative rule or regulation and the violation would cause  
19       the commission to determine that the applicant, a key person,  
20       or a substantial owner of the applicant is not of good moral

1 character or reputation; or  
 2 (B) committed any other act that would negatively impact the  
 3 integrity of charity gaming in Indiana.

4 (2) The applicant has engaged in fraud, deceit, or  
 5 misrepresentation.

6 (3) The applicant has failed to provide information required by  
 7 this article or a rule adopted under this article."

8 Page 2, between lines 12 and 13, begin a new paragraph and insert:

9 "SECTION 4. IC 4-32.2-5-13, AS ADDED BY P.L.91-2006,  
 10 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2009]: Sec. 13. **(a)** An individual may not be an operator for  
 12 more than ~~one (1)~~ **three (3)** qualified ~~organization~~ **organizations**  
 13 during a calendar month.

14 **(b)** If an individual has previously served as an operator for another  
 15 qualified organization, the commission may require additional  
 16 information concerning the proposed operator to satisfy the  
 17 commission that the individual is a bona fide member of the qualified  
 18 organization.

19 SECTION 5. IC 4-32.2-5-14, AS AMENDED BY P.L.95-2008,  
 20 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2009]: Sec. 14. **(a)** **Except as provided by subsection (c),** an  
 22 operator or a worker may not directly or indirectly participate, other  
 23 than in a capacity as an operator or a worker, in an allowable event that  
 24 the operator or worker is conducting.

25 **(b)** A patron at a charity game night may deal the cards in a card  
 26 game if:

27 (1) the card game in which the patron deals the cards is a game of  
 28 euchre;

29 (2) the patron deals the cards in the manner required in the  
 30 ordinary course of the game of euchre; and

31 (3) the euchre game is played under the supervision of the  
 32 qualified organization conducting the charity game night in  
 33 accordance with rules adopted by the commission under  
 34 IC 4-32.2-3-3.

35 A patron who deals the cards in a euchre game conducted under this  
 36 subsection is not considered a worker or an operator for purposes of  
 37 this article.

38 **(c)** **This subsection applies only to a festival event. A worker**  
 39 **may participate in any event or gambling game conducted at a**  
 40 **festival event held by a qualified organization except for an event**  
 41 **or gambling game that the worker personally conducts or helps**  
 42 **conduct on behalf of the qualified organization.**

SECTION 6. IC 4-32.2-5-16, AS AMENDED BY P.L.227-2007, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 16. (a) Except as provided in section 12(c) of this chapter and subsection (b), a worker must be a member in good standing of a qualified organization that is conducting an allowable event for at least thirty (30) days at the time of the allowable event.

(b) A qualified organization may allow an individual who is not a member of the qualified organization to participate in an allowable event as a worker if the individual is a full-time employee of the qualified organization that is conducting the allowable event; or if:

(1) the individual is a member of another qualified organization;

and

(2) the individual's participation is approved by the commission.

A qualified organization may apply to the commission on a form prescribed by the commission for approval of the participation of a nonmember under this subsection. A qualified organization may share the proceeds of an allowable event with the qualified organization in which a worker participating in the allowable event under this subsection is a member. The tasks that will be performed by an individual participating in an allowable event under this subsection and the amounts shared with the individual's qualified organization must be described in the application and approved by the commission.

(c) For purposes of:

(1) the licensing requirements of this article; and

(2) section 9 of this chapter;

a qualified organization that receives a share of the proceeds of an allowable event described in subsection (b) is not considered to be conducting an allowable event.

**(d) An individual may not be a worker for more than three (3) qualified organizations during a calendar month."**

Page 2, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 8. IC 4-32.2-5-25 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 25. (a) Except as provided in subsection (b), a qualified organization shall obtain licensed supplies from an entity licensed by the commission as a manufacturer or distributor.**

**(b) A qualified organization is not required to obtain licensed supplies from an entity licensed by the commission as a manufacturer or distributor in the case of:**

**(1) a qualified organization that obtains pull tabs, punchboards, and tip boards from the state lottery**

- 1           **commission; or**
- 2           **(2) a qualified organization that borrows reusable supplies,**
- 3           **devices, or equipment from another qualified organization."**
- 4           Renumber all SECTIONS consecutively.  
            (Reference is to SB 414 as introduced.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 10, Nays 0.

---

**Senator Alting, Chairperson**